

REMARKS / ARGUMENTS

Summary

Prior to entry of the foregoing amendment, Claims 20-23, 28-31 and 36-46 were pending with Claims 20, 28, 39 and 43 being independent claims and the remaining claims being dependent claims. Claims 20-23, 28-31 and 36-38 have been canceled without prejudice or disclaimer. Claims 39, 41-43 and 45-46 have been amended without adding new matter. Upon entry of the foregoing amendment, Claims 39-46 are pending with Claims 39 and 43 being independent claims and the remaining claims being dependent claims. Applicants respectfully request reconsideration of Claims 39-46 in view of the amendments above and the remarks below.

Traversal of Rejection under 35 U.S.C. § 101

The Office Action rejected Claims 20-23 and 38 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Claims 20-23 and 38 have been canceled. As such, the rejections are moot and are not discussed further herein.

Traversal of Objection

The Office Action objected to Claims 36-37 due to informalities that the claims should be in independent format. Claims 36 and 37 have been canceled. As such, the rejections of those claims are not discussed further herein.

Traversal of Rejection under 35 U.S.C. § 103(a)

Applicants have canceled Claims 20-23, 28-31 and 36-38 without prejudice or disclaimer and reserve the right to present them at a later time. Accordingly, the rejection of those claims are moot and are not discussed further herein.

Applicants respectfully traverses the rejection of claims 39-46 under 35 U.S.C. §103(a) as being unpatentable over Bloomberg in view of Matsunoshita.

In regard to Independent Claim 39, the Office Action has not provided a prior art reference or references that teach or suggest all the claim limitations of the pending claims.

Assuming arguendo that the combination of the Bloomberg and Matsunoshita references is proper, Applicants respectfully submit that such a combination still does not teach or suggest any embodiment where a recording medium has image data including embedded information combined with two patterned image data, as recited in Independent Claim 39.

Independent Claim 39 is directed to an image processor and includes: “a scanning unit for reading a recording medium, the recording medium having first patterned image data printed thereon and image data printed thereon, the image data including embedded information, the first patterned image data including a latent image unperceivable by human eyes, the latent image being formed more clearly on a copy-destination recording medium when information recorded on the recording medium is copied by a copying machine; a separating unit for separating the read image data input by the inputting scanning unit to obtain the

image data including the embedded information; and an outputting unit for controlling output of combined image data produced by combining second patterned image data with the image data including the embedded information, the second patterned image data including a latent image unperceivable by human eyes, the latent image being formed more clearly on the copy-destination recording medium when information recorded on the recording medium is copied by the copying machine.” (emphasis added).

Applicants respectfully submit that Bloomberg and Matsunoshita alone, or in combination, fail to disclose an image processor that includes a scanning unit for reading a recording medium, the recording medium having first patterned image data printed thereon and image data printed thereon, the image data including embedded information; and an outputting unit for controlling output of combined image data produced by combining second patterned image data with the image data including the embedded information.

Reviewing Bloomberg, information is embedded unobtrusively in an iconic representation (Column 4, Lines 9-13). “The iconic image includes embedded encoded data in a position where the reduced version of text in the original text image would appear” (Column 4, Lines 23-25). Nothing in Bloomberg is seen to disclose or describe embedding a recording medium with two distinct patterned images to encode information in a document, as recited in Claim 39. Rather, Bloomberg is seen to teach away from the idea and describes using the reduced size of original text in an iconic image of a document as an encoding method to hide and embed data in an indiscernible manner. (Column 4, Lines 31-35)

Matsunoshita is seen to disclose embedding bar-code information into a patterned image as a security measure protecting copyright (Figure 1, paragraph 48). Specifically, the information is added to PDL data for embedding the information in a single patterned image and not for embedding the information in document data text and/or image data (paragraph 52). Nothing in Matsunoshita discloses or describes embedding a recording medium with two distinct patterned images to encode information in a document, as recited in Claim 39. Claim 39 describes combining image data with a first single patterned image on a recording medium and then combining a second patterned image, distinct from the first, with the image data a later time.

Because Bloomberg and Matsunoshita lack at least the above-noted features of Claim 39, Applicants respectfully submit that the combination of Bloomberg and Matsunoshita fails to disclose each and every feature recited in Claim 39, and that the Office Action has failed to establish an adequate evidentiary basis to support a rejection under 35 U.S.C § 103(a). Accordingly, Applicants request reconsideration and withdrawal of the rejection of Claim 39.

Independent Claim 43 is directed to an image processing method and was rejected for essentially the same reasons as Claim 39. As such, the arguments set forth above with respect to Claim 39 are applicable to Claim 43. Accordingly, Applicants request reconsideration and withdrawal of the rejection of Claim 43.

The remaining claims (Claims 40-42 and 44-46) are dependent claims. As discussed above, all of the independent claims are believed allowable. Therefore, the dependent claims are also believed allowable because they

depend from an allowable base claim. Furthermore, each dependent claim is also deemed to define an additional aspect of the invention, and individual consideration of each on its own merits is respectfully requested.

CONCLUSION

Applicants respectfully submits that all of the claims pending in the application meet the requirements for patentability and respectfully request that the Examiner indicate allowance of such claims at the Examiner's earliest convenience.

Any amendments to the claims which have been made in this response which have not been specifically noted to overcome a rejection based upon prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

In addition, please deduct or credit any underpayment or overpayment of fees associated with submission of this response to Deposit Account Number 502456.

Should the Examiner have any questions, the Examiner may contact the Applicants' undersigned representative at (949) 932-3132.

Respectfully submitted,

May 22, 2008

/Marlene Klein/

Date

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